

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

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VETBOARD.AZ.GOV

MINUTES

July 15, 2020

Board Room A, at 8:30 a.m.

1740 W. Adams Street, Board Room A

Phoenix, Arizona 85007

Members Present: Mr. Jim Loughead, Ms. Jessica Creager (telephonic), Dr. Darren Wright, Ms. Jane Soloman (telephonic), Dr. Sarah Heinrich and Dr. Robyn Jaynes.

Members Absent: Dr. J. Greg Byrne and Ms. Nikki Frost, CVT.

Staff and Legal Counsel Present Telephonically/Electronically: Ms. Victoria Whitmore, Executive Director; Mr. Marc Harris, AAG (Assistant Attorney General); and Ms. Tracy Riendeau, CVT, Senior Medical Investigator.

I. CALL TO ORDER

Roll call: Dr. Wright at 8:30 a.m.

II. INITIAL INVESTIGATIVE REVIEW AND ACTION ON THE FOLLOWING CASES:

1. 20-56, In Re: Margaret Sorensen, DVM

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Heinrich to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

2. 20-57, In Re: Leigh Jackson, DVM

Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Heinrich to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

3. 20-58, In Re: Katelin Radosevich, DVM

Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Heinrich to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

4. 20-59, In Re: Garrel Geiger, DVM

Ms. Marie Killen was present telephonically and made statements. Mr. Jeffrey Killen was present telephonically and made statements. After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Wright to offer Dr. Geiger a **Consent Agreement**, adopting the Investigative Committee's proposed Findings of Fact and amended Conclusions of Law as the Board's Findings of Fact and Conclusions of Law. Roll call: Dr. Heinrich, aye; Ms. Soloman,

aye; Ms. Creager, aye; Dr. Wright, aye; Mr. Loughhead, aye; and Dr. Jaynes, aye. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Heinrich and second by Dr. Wright to offer Dr. Geiger a Consent Agreement that includes a period of Probation for 1 year to obtain four (4) hours of continuing education in addition to the statutory requirements to maintain licensure; those four (4) hours are to include:

- 2 hours in Medical Record Keeping; and
- 2 hours in Analgesia.

The Consent Agreement shall also include a civil penalty of \$250 due on or before the end of the Probationary period. If the Consent Agreement is not signed within 30 days, the matter will be scheduled for an Informal Interview. Roll call: Dr. Heinrich, aye; Ms. Soloman, aye; Ms. Creager, aye; Dr. Wright, aye; Mr. Loughhead, aye; and Dr. Jaynes, aye. Motion passed unanimously.

5. 20-60, In Re: Andrea Estrada-Stickland, DVM

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Soloman to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

6. 20-61, In Re: Bard Barnett, DVM

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Heinrich to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

7. 20-62, In Re: Mark Carter, DVM

Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Heinrich to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

8. 20-65, In Re: Matthew Hay-Roe, DVM

Ms. Jennifer Zito appeared telephonically and made statements. After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Soloman to schedule this matter to an **Informal Interview**. Motion passed 5 ayes, 1 nay (Mr. Loughhead).

9. 20-66, In Re: August Fosse, DVM

Dr. Fosse was present with attorney David Stoll and made statements. After discussion and consideration, a motion was made Dr. Jaynes and seconded by Dr. Heinrich to schedule this matter to an **Informal Interview**. Motion passed unanimously.

10. 20-67, In Re: Karin Burns, DVM

Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Heinrich to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

11. 20-111, In Darrel Kramer, DVM

Dr. Kramer appeared telephonically and made statements. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Heinrich to issue Dr. Kramer a **Letter of Concern** with respect to ensuring his name is removed from supervising individuals he is no

longer affiliated with and ensuring that he is informing the Board on who he is working with in the future. Motion passed unanimously.

III. INFORMAL INTERVIEWS - BOARD DELIBERATION AND ACTION

1. 20-53: In Re: Sarah Anderson-Kain, DVM – Continuance of Informal Interview of June 17, 2020, for the purpose of receiving additional information and reviewing possible action to approve proposed Findings of Fact, Conclusions of Law and adopting an Order.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Heinrich to accept the Findings of Fact and Conclusions of Law as drafted. Roll call: Dr. Heinrich, aye; Ms. Soloman, aye; Ms. Creager, aye; Dr. Wright, aye; Mr. Loughhead, aye; and Dr. Jaynes, aye. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Heinrich to issue Dr. Anderson-Kain an Order that includes a period of **Probation for 1-year** to obtain **six (6) hours of continuing education** in addition to the statutory requirements to maintain licensure; those hours are to include:

- 3 hours in Medical Record Keeping; and
- 3 hours in Client Communications.

The Order shall also include a **civil penalty of \$150** due on or before the end of the probationary period and **reimbursement of fees** to Complainant for the cost of the Cerenia injection administered to the cat at the second presentation; reimbursement of fees are to be paid to Complainant within 30 days of the effective date of the Board Order. Roll call: Dr. Heinrich, aye; Ms. Soloman, aye; Ms. Creager, aye; Dr. Wright, aye; Mr. Loughhead, aye; and Dr. Jaynes, aye. Motion passed unanimously.

2. 20-45: In Re: Monika Knoblich, DVM - Continuance of Informal Interview of June 17, 2020, for the purpose of receiving additional information and reviewing possible action to approve proposed Findings of Fact, Conclusions of Law and adopting an Order.

After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Heinrich to adopt the Findings of Fact and Conclusions of Law as drafted. Roll call: Dr. Heinrich, aye; Ms. Soloman, aye; Ms. Creager, aye; Dr. Wright, aye; Mr. Loughhead, aye; and Dr. Jaynes, aye. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Heinrich to issue Dr. Knoblich an Order to include a period of **Probation for 1-year** to obtain **eight (8) hours of continuing education** in addition to the statutory requirements to maintain licensure; those hours are to include:

- 4 hours in Medical Record Keeping; and
- 4 hours in Antibiotics.

The Order shall also include a **civil penalty of \$1000** and **reimbursement of fees to Complainant in the amount of \$1,211.51**, which are due on or before the end of the Probationary period. Roll call: Dr. Heinrich, aye; Ms. Soloman, aye; Ms. Creager, aye; Dr. Wright, aye; Mr. Loughhead, aye; and Dr. Jaynes, aye. Motion passed unanimously.

3. 20-81: In Re: Roger Litchfield, DVM - Continuance of Informal Interview of June 17, 2020, for the purpose of receiving additional information and reviewing possible action to approve proposed Findings of Fact, Conclusions of Law and adopting an Order.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Heinrich to adopt the Findings of Fact and Conclusions of Law as drafted. Roll call: Dr. Heinrich, aye; Ms. Soloman, aye; Ms. Creager, aye; Dr. Wright, aye; Mr. Loughead, aye; and Dr. Jaynes, aye. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Heinrich to issue Dr. Litchfield an Order that includes a **Decree of Censure**. Roll call: Dr. Heinrich, aye; Ms. Soloman, aye; Ms. Creager, aye; Dr. Wright, aye; Mr. Loughead, aye; and Dr. Jaynes, aye. Motion passed unanimously.

IV. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS

1. 19-37: In Re: Crystal Delano, DVM. Quarterly appearance as required by Consent Agreement. Board may review, discuss, and take action to offer an amended Consent Agreement to modify the lab testing and work supervision requirements.

Dr. Delano was present, made statements and answered questions. After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Heinrich to amend Dr. Delano's Consent Agreement, upon receipt of negative test results from the next regular test. The amendment would allow Dr. Delano to work without direct supervision twice weekly and the required drug testing would be stepped down to quarterly tests. If the Amended Consent Agreement is not signed in seven (7) days, the matter will be scheduled for a Formal Hearing. Roll call: Dr. Heinrich, aye; Ms. Soloman, aye; Ms. Creager, aye; Dr. Wright, aye; Mr. Loughead, aye; and Dr. Jaynes, aye. Motion passed unanimously.

2. 19-83: In Re: Gurjit Sandhu, DVM. Board may review, discuss, and take action on completion of continuing education as required by Board Order and may return license to Active status.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Jaynes to **approve** Dr. Sandhu's completion of continuing education and return his license to Active status. Motion passed unanimously.

3. 20-13: In Re: Gurjit Sandhu, DVM. Board may review, discuss and take action on completion of continuing education as required by Board Order and may return license to Active status.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Jaynes to **approve** Dr. Sandhu's completion of continuing education and return his license to Active status. Motion passed unanimously.

4. 19-71: In Re: Celeste Roy, DVM. Board may review, discuss, and take action on information provided based on Board's request.

Attorney Larry Cohen was present telephonically to monitor and answer questions. It was determined that Dr. Roy had signed the proposed Amended Consent Agreement. No action was taken.

5. 20-107: In Re: Erin Hisrich, DVM. Board may review, discuss, and take action on update provided.

Attorney Flynn Carey was present telephonically to monitor and answer questions. After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to **pend** this matter to the August Board meeting. Motion passed unanimously.

6. 20-03: In Re: Monika Knoblich, DVM. Board may review, discuss, and take action on Continuing Education plan submitted in compliance with Board Order.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to **approve** the continuing education plan submitted in compliance with Dr. Knoblich's Board Order. Motion passed unanimously.

V. REPORTS, CORRESPONDENCE, REFERRALS AND OTHER BUSINESS

1. Board may review, discuss, and take action on Case C-20-08, In re: Gary Bennett, possible unlicensed practitioner.

Pend to August Board meeting.

2. Board may review, discuss, and take action on Case C-20-11, In re: "Alan" (Serna Alvarez), possible unlicensed practitioner.

Pend to August Board meeting.

3. Board may review, discuss, and take action on re-appointment of Adam Almaraz to the afternoon (PM) Investigative Committee.

After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to **re-appoint** Mr. Almaraz for a 2-year term to the PM Investigative Committee. Motion passed unanimously.

4. Board may review, discuss and take action on re-appointment of Carolyn Ratajack to the morning (AM) Investigative Committee.

After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to **re-appoint** Ms. Ratajack for a 2-year term to the AM Investigative Committee. Motion passed unanimously.

5. Board may review, discuss, and take action on veterinary license applications:

a. Cristian Amavizca

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Heinrich to request Dr. Amavizca appear before the Board, in person or telephonically, at the next Board meeting. Motion passed unanimously.

b. Antonio Bowens

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Wright to approve Dr. Bowens's veterinary license application. Motion passed unanimously.

6. Board may review, discuss, and take action on utilization of non-veterinarian staff to conduct animal exams and administer medications and treatments based on no exam or the exam by that individual, including a discussion of letter from representative of Banfield hospitals.

Mr. Mark Cushing appeared; made statements and answered questions. No action taken.

7. Board may review, discuss, and take action on the possible utilization of "Writing Skills for Veterinarians" book by Ryane Englar, DVM.

No action taken.

8. Board may review, discuss, and take action on continuation of COVID-19 related procedures for veterinarian and CVT testing and premises inspections.

Ms. Whitmore updated the Board on the current procedures with respect to veterinarian and CVT testing and premises inspections due to the COVID-19 restrictions. No action taken.

9. Board may review, discuss, and take action on denial of veterinary technician certification for failure to pass the State exam and/or the Veterinary Technician National Exam.

1. McMahon, Edgar

2. Nelson, Vanessa

3. Polanco, Anissa

4. Thompson, Shayna

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to deny the above veterinary technician certification applicants that failed the State and/or VTNE exam and authority Ms. Whitmore to represent the Board if a settlement conference is requested with her authority limited to denial of certification. Motion passed unanimously.

VI. REVIEW AND APPROVAL OF MINUTES

1. June 17, 2020 Regular Session

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Heinrich to **approve** the June 17, 2020 regular session minutes. Motion passed unanimously.

2. June 17, 2020 Executive Session

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Heinrich to **approve** the June 17, 2020 executive session minutes. Motion passed unanimously.

VII. CALL TO THE PUBLIC

No public present.

VIII. ESTABLISHMENT OF FUTURE MEETING DATE

The next regular meeting will be held via teleconference and/or internet conference on **Wednesday, August 19, 2020**, beginning at **8:30 a.m.** Information on how the public may participate will be noted on the meeting notice and agenda.

IX. ADJOURNMENT

Meeting was adjourned at 11:05 a.m.

Respectfully submitted,



Victoria Whitmore, Executive Director